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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/664,166

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Chih-Chiang Yu

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EXAMINER

AMADIZ, RODNEY

ART UNIT

PAPER NUMBER

2629

DATE MAILED: 08/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/664,166

Applicant(s)

YU, CHIH-CHIANG

Examiner

Rodney Amadiz

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 1, line 3 recites the limitation "a cover lighter than the base". Support for this limitation was not found in the specification. At most the specification states "The cover is light; so it doesn't do damage to the flat panel display but can protect it." (¶ 0007). This statement, however, does not provide sufficient support for the limitation found in claim 1. There is no evidence in the specification that the cover is lighter than the base. Therefore, the applicant should withdraw the newly amended limitation to claim 1 due to lack of support.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimano et al. (U.S. Patent 6,845,005) in view of Kim et al. (U.S. Patent 6,976,799).

As to **Claim 1**, Shimano et al. teaches a portable computer with a flat panel display, comprising: a base including a computer system and the flat panel display (**Fig. 1, Display Unit 10, See Also Col. 4, lines 36-39**); and a cover (**Fig. 1, base unit 12**), having a connection element pivotally connected to the base for protecting the base (**Fig. 2a, Hinging Assembly**), the cover including an input device to input data (**Fig. 1, Keyboard 18**); wherein the cover axially rotates around the connection element and protects the base (**See Fig. 2a**). Shimano et al. however, does not explicitly teach that the cover is lighter than the base. Examiner cites Kim et al. to teach a potable computer wherein the cover is lighter than the base (**Fig. 3a—note Reference Number 9 including computer system and keyboard cover 9**). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to incorporate a cover that is lighter than the base as taught by Kim et al. in the portable computer taught by Shimano et al. in order to reduce the overall weight of the portable computer.

As to **Claim 2**, Shimano et al. teaches, that when the cover is in a first position, the cover shelters a first portion of the base (**See Fig. 2a and note position**).

As to **Claim 3**, Shimano et al. teaches the cover rotating 360 degrees from the first position to a second position, in this position the cover shelters a second portion of

the base to protect the flat panel display (*See Figs. 2a-2c and note the position of Fig. 2c*).

As to **Claim 4**, Shimano et al. teaches the connection element including a first axis and a second axis, the cover selectively rotates 180 degrees around the first axis and the second axis respectively (*See Figs. 2a-2c and note Hinge A (32) and Hinge B (30)*).

As to **Claim 7**, Shimano et al. teaches the flat panel display being used to input data through handwriting (*See Col. 4, lines 2-18*).

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shimano et al. and Kim et al. as applied to Claim 1 above, and further in view of Goodrich et al. (U.S. Patent 5,375,076).

As to **Claim 5**, Shimano et al. as modified by Kim et al. does not teach a bracket connecting to the base. Examiner cites Goodrich et al. to teach a bracket connecting to the base (*Goodrich et al.—Fig. 4, Reference Number 36*); wherein as the base is disposed on a plane, the bracket supports the base making the base intersect the plane at an angle (*Goodrich et al.—See Figs. 4, 9, 17 and 21*). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to provide a bracket as taught by Goodrich et al. in the modified portable computer taught by Shimano et al. and Kim et al. so that the display may be readily visible by a user (*Goodrich et al.—Col. 4, lines 9-11*).

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shimano et al. and Kim et al. as applied to Claim 1 above, and further in view of Tran et al. (U.S. Patent 5,805,415).

As to **Claim 6**, Shimano et al. as modified by Kim et al. does not teach the cover capable of being removed from the base. Examiner cites Tran et al. to teach portable computer that is capable of detaching the cover from the base (*Tran et al.—See Figs. 7 and 8*). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to provide a detachable cover as taught by Tran et al. in the modified portable computer taught by Shimano et al. and Kim et al. so as to provide convenience in the choice of locations of the display when giving presentations (*Tran et al.—Col. 2, lines 58-64*).

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shimano et al. and Kim et al. as applied to Claim 1 above, and further in view of Liao (USPGPUB 2004/0021681).

As to **Claim 8**, Shimano et al. as modified by Kim et al. does not teach the input device including a flat panel keyboard. Examiner cites Liao to teach a dual touch screen computer wherein the cover includes a sub-screen (*Fig. 1, Reference Number 103 and 107*) that is a touch-screen type flat panel display screen that allows a user to input data into the virtual keyboard by physically touching the surface (*Liao, Pg. 2, ¶ 0009*). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to provide a flat panel keyboard as taught by Liao in the modified portable

computer taught by Shimano et al. and Kim et al. so that the input device may be more dynamic.

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shimano et al. and Kim et al. as applied to Claim 1 above, and further in view of Pollitt (U.S. Patent 5,198,991).

As to **Claim 9**, Shimano et al. as modified by Kim et al. does not teach the input device including a conductive-rubber keyboard. Examiner cites Pollitt to teach a portable computer including a rubber-conductive keyboard (*Pollitt—Col. 6, lines 57-60*). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to incorporate a rubber-conductive keyboard as taught by Pollitt in the modified portable computer taught by Shimano et al. and Kim et al. so that contacts representative of manual activation of selected keys can be enabled (*Pollitt—Col. 6, lines 57-60*).

### ***Response to Arguments***

9. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

With respect to Claim 8, Applicant argues, "it is noted that this claim depends from claim 1 and it is therefore not seen how this claim can be rejected solely in view of Liao." (Pg. 7, ¶ 3). Examiner thanks Applicant for catching the typographical error.

Furthermore, it can clearly be seen in the rejection of claim 8 that the rejection is made with Shimano et al. in view of Liao even though the title suggests differently.

Applicant also argues 'Shimano et al. fails to teach a base including a computer system and a flat panel display.. the base of independent claim 1 of the present application includes a computer system, which is lacking in the patent to Shimano et al. It is therefore respectfully submitted that the patent to Shimano et al. fails to teach or suggest the portable computer of independent claim 1, and its dependent claims.' (Pg. 7 ¶ 4) Examiner respectfully disagrees. Shimano et al. clearly teaches a computer system integrated in the base (Shimano et al-Col. 4, lines 36-39). To further explain, examiner interprets the central processing unit as the computer system. Moreover, Shimano et al. presents the option of integrating the computer system in either the base or cover; therefore, the interpretation is taken that the computer system is integrated in the base, which includes a display, which clearly reads on the broadly claimed invention.

Finally, Applicant argues that "having the flat panel display assembled in the base and the input device assembled in the cover can facilitate electrical connection, so as to reduce the cost of manufacture and maintenance, and increase product reliability' (Pg. 7, ¶ 5). Examiner, asserts that the flat panel is assembled in the base and the input device is assembled in the cover (Shimano et al- See Fig. 1 and note placements of input device and flat panel and read Col. 4, lines 36-39).

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Examiner cites the following reference as pertinent to the disclosure due to its relevance with a computer system and flat panel display integrated in the base of a portable computer and for having a cover that is lighter than the base of a portable computer.

Ditzik

USPGPUB 2001/0030850

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney Amadiz whose telephone number is (571) 272-7762. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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